

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

ROBERT D. LOBDELL and
AMY L. LOBDELL,

Chapter 13
Case No. 19-57571-pjs
Hon. Phillip J. Shefferly

Debtors.

AFFIDAVIT OF SPECIAL CIRCUMSTANCES

NOW COME Robert and Amy Lobdell, Debtors in the above-referenced Chapter 7 bankruptcy case, and state the following to explain the Debtors' change in circumstances prior to filing the Chapter 7 petition:

1. We, Robert and Amy Lobdell, filed a Chapter 7 petition on December 16, 2019, Case No. 19-57571.

2. In October, 2019, my position with Clix, a digital marketing agency, from which I previously derived an annual salary of \$80,000 (\$6,667/month gross) was terminated.

3. Although I have managed to pick up some independent contract work as a consultant for my former employer, it grossing just a little over \$500.00 per month at this time.

4. Our other sources of household income consist of Robert's pension, Robert's new modest wages as an independent consultant,

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Robert's often nominal receipts from operating as a Lyft driver, and Amy's wages from employment.

5. Since the time that Robert's full-time position was terminated, we have struggled financially, forcing us to come to the realization that we cannot afford to retain our home.

6. The Chapter 7 Statement of Current Monthly Income in our case includes income from June through November, which consists largely of the \$6,666.66 per month in gross wages from Robert's former employer (or, a 6-month average of \$5,000.00 per month in gross income).

7. The requirement that this income be included for purposes of the means test causes an over-inflation of income on Form 122A-1, line 2. As a result of the over-inflation of line 2, column A, line 11 on Form 122A-1 also includes an over-inflated figure primarily consisting of income that we no longer receive.

8. Accordingly, we have included both the six month average of the tax deductions withheld from Robert's buyout income on line 16 of the means test, Form 122A-2, and the six-month average net of Robert's buyout income as a deduction on line 43 as a 'special circumstance,' to remove that income from the means test; that source of income is no longer received, and does

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not allow for an accurate depiction of our monthly income.

We assert that the above information is true and correct under penalty of perjury.

Dated:

/s/ 1-22-2020 [Signature]
Robert D. Lobdell, Debtor

/s/ 1/22/2020 [Signature]
Amy L. Lobdell, Debtor

Subscribed and sworn to before me

This 22nd day of JANUARY, 2020

[Signature]
IAN WELSH, Notary Public

Acting in Oakland County, Michigan

My commission expires: 2/27/2023

